

Our Ref: 2019-015

Date: February 2019

Subject: Tesco Costs

This request asked:

Dear Serious Fraud Office,

BACKGROUND:

Former Tesco bosses Chris Bush and John Scouler cleared of £250m fraud after case collapses
<https://www.standard.co.uk/news/crime/former-tesco-bosses-chris-bush-and-john-scouler-cleared-of-250m-fraud-after-case-collapses-a4010201.html>

REQUESTS

1. I would like to know how much you spent on legal fees, provide all invoices from lawyers and other service providers both paid and unpaid. This includes CoA fees and charges.
2. How much have you been ordered to pay for defendant's costs? If there has been no order yet, please state date of hearing for application of order.
3. Are criminal proceedings at an end? I want to see the DPA - Serious Fraud Office v Tesco Stores Ltd [2019] EW Misc. 1 (CrownC) (22 January 2019).

Our response:

1. I would like to know how much you spent on legal fees, provide all invoices from lawyers and other service providers both paid and unpaid. This includes CoA fees and charges.

The total cost incurred in the investigation of Tesco and the subsequent prosecutions of three former employees was £6,183,425. Our records indicate that £2,597,293 of this is directly attributable to Counsels' fees. We do not hold a similar record of how much cost is attributable to service providers. It should also be noted that £3,069,951 of the costs incurred by the SFO in the investigation was repaid by Tesco under the terms of the Deferred Prosecution Agreement (DPA).

2. How much have you been ordered to pay for defendant's costs? If there has been no order yet, please state date of hearing for application of order.

We are not aware of any cost applications to date.

3. Are criminal proceedings at an end? I want to see the DPA - Serious Fraud Office v Tesco Stores Ltd [2019] EW Misc. 1 (CrownC) (22 January 2019).

Yes, criminal proceedings against all three defendants have concluded. However, you should note that the terms of the DPA agreed with Tesco run until April 2020 and the company can be prosecuted for any breach of the terms before that date.

Following the conclusion of criminal proceedings the DPA has been published and can be found on our website at: <https://www.sfo.gov.uk/cases/tesco-plc/>
